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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/596,451

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Mauro Barbieri

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS

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BRIARCLIFF MANOR, NY 10510

EXAMINER

BANTAMOI, ANTHONY

ART UNIT

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2423

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/596,451	Applicant(s) BARBIERI ET AL.	
	Examiner ANTHONY BANTAMOI	Art Unit 2423	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 16 recites the limitation "the computer program product according to claim 13" refers to all of apparatus claim 13 which is a structural claim. There is insufficient antecedent basis for this limitation in the claim. Moreover, it is unclear how a computer program product comprises a circuit.— The examiner notes that a computer readable storage medium (such as an optical/magnetic storage) does not comprise a circuit per se.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 15 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 15, recites "a computer program product" as carried on a data carrier [0022], the broadest reasonable interpretation of computer program product is a code which does not fall under any of the statutory classes of invention (Method, Machine Article of manufacture, & Composition of matter).

Claim 16 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 16, recites a data carrier the broadest reasonable interpretation of a data carrier is a signal.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Publication 2002/0083471 to Agnihorti et al. (Agnihorti), in view of US Patent 6,236,395 to Sezan et al. (Sezan).

Regarding claims 1, 13, 15, 16, Agnihorti teaches method of creating a multimedia summary of a stream of audiovisual data (figure 4, entire), comprising the steps of:

analysing (206) the textual summary to extract information (figure 4, step 410); segmenting (208) and analysing (210) the stream of audio-visual data to extract information (figure 4, steps 415, & 425); selecting (212) segments from the stream of audiovisual data comprising information matching the information extracted from the textual summary (Para. 0070, ll. 10-13); and combining (214) the selected segments thus forming a multimedia summary (figure 4, steps 420, & 430).

Agnihorti teaches textual summary of an audio visual data (figure 4, step 405), however, not from an external source.

Sezan teaches receiving program description data from external sources for example PSIP or DVB-SI (col. 7, ll. 64-67). One of ordinary skill in the art would prefer receiving data from an external source rather than from a local storage because it is cheaper and easier to update information at once and stream it out rather than updating individual subscribers especially on a large scale.

Therefore it would have been obvious to one of ordinary skills in the art at the time the invention was made to modify the method of Agnihorti to obtain (204) a ready-made textual summary of the stream of audiovisual data from an external source as taught by Sezan in order effective update information on the fly (in real-time) while saving on cost.

Regarding claim 2, Agnihorti is silent on teaches a method, wherein the external source is at least one of the following:

Teletext; Electronic Programme Guide; or internet server.

Sezan teaches a method, wherein the external source is at least one of the following:

Teletext; Electronic Programme Guide; or internet server (Sezan (col. 7, ll. 64-67)).

Therefore it would have been obvious to one of ordinary skills in the art at the time the invention was made to modify the method of Agnihorti to include a method, wherein the external source is at least one of the following teletext; electronic

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programme guide; or internet server as taught by Sezan in order effective update information on the fly (in real-time) while saving on cost.

Regarding claim 3, Agnihorti teaches a method, wherein the stream of audiovisual data comprises a sub-stream carrying subtitles corresponding to the stream of audiovisual data; and the information extracted from the stream of audiovisual data is extracted from the stream of audio-visual data by analysing subtitles (figure 4, 425 and Para. 0070, ll. 10-13 (sub-topic cue meets sub-title)).

Regarding claim 4, Agnihorti teaches a method, wherein the sub-stream carries: Closed Captioning data; Teletext subtitle data; and/or subtitles in a graphic format (Para. 0056, ll.5-7).

Regarding claim 5, Agnihorti teaches a method, wherein the information extracted from the textual summary are keywords (Para. 0066, ll. 1-7 (example “new movie”)).

Regarding claim 6, Agnihorti teaches keywords (Para. 0066, ll. 1-7) which meets “a method, wherein the keywords are the nouns, adjectives and/or verbs comprised by the textual summary”.

Regarding claim 7, Agnihorti teaches matching the information extracted from the textual summary (Para. 0070, ll. 10-13) which meets “a method, wherein the information extracted from the textual summary is extended with information related to the information extracted from the textual summary”.

Regarding claim 8, Agnihorti teaches keywords (Para. 0066, ll. 1-7) and matching the information extracted from the textual summary (Para. 0070, ll. 10-13) which meets

“a method, wherein the information extracted from the textual summary are nouns, adjectives and/or verbs and the extracted information is extended with further nouns, adjectives and/or verbs related to the nouns extracted from the textual summary”.

Regarding claim 9, Agnihorti teaches keywords (Para. 0066, ll. 1-7) and extracting sub-topic cue from audio video data (figure 4, step 425) which meets “a method, wherein the further nouns, adjectives and/or verbs are synonyms of the nouns, adjectives and/or verbs extracted from the textual summary”.

Regarding claim 10, Agnihorti teaches a method, wherein: the stream of audiovisual data comprises a sub-stream carrying subtitles; and the information is extracted from the stream of audio-visual data by analysing subtitles; and the step of selecting segments from the stream of audiovisual data comprising information matching the information extracted from the textual summary comprises the step of selecting at least one segment in which the subtitles comprise at least one keyword (Para. 0070-0074).

Regarding claim 11, Agnihorti teaches a method, wherein the information extracted from the stream of audiovisual data and the textual summary comprises words and a segment of the stream of audiovisual data is selected when at least one first word extracted from the stream of audiovisual data and at least one second word extracted from the textual summary match (figure 4, steps 425, & 430, & Para. 0070, ll. 10-13).

Regarding claim 12, Agnihorti teaches a method, wherein the segments are combined at the moment the multimedia summary is played back (figure 4, step 430).

Regarding claim 14, Agnihorti teaches an apparatus (110) for processing audiovisual data, comprising the circuit according to claim 10 (figure 1, label 150).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANTHONY BANTAMOI whose telephone number is (571)270-3581. The examiner can normally be reached on IFP.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Koenig can be reached on (571)2727296. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/ANTHONY BANTAMOI/
Examiner, Art Unit 2423

/Andrew Y Koenig/
Supervisory Patent Examiner, Art Unit 2423

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